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TESTIMONY REFERENCE RAISED BILL No. 7028

***AN ACT CONCERNING THE DEPARTMENT OF CORRECTION,
ACCESS TO THE FIREARMS DATABASE BY PAROLE
OFFICERS, AND PRESENTATION OF A CARRY PERMIT.***

I urge the Joint Committee on the Judiciary to strike the last section of this proposal referring to Section 29-35, subsection (b) of the Connecticut General Statutes.

This provision is poorly conceived, is not connected to the bill in any way, and is unnecessary in the State of Connecticut. According to Supreme Court decisions going back decades, such as Terry v. Ohio, 392 U.S. 1 (1968), and Hiibel v. Sixth Judicial District Court of Nevada, 542 U.S. 177 (2004), stopping a person for limited investigation and identification is only proper when the officer has some articulable suspicion or probable cause to believe that criminal activity is imminent or taking place.

Carrying a firearm is legal in Connecticut, whether open or concealed. Unless a person is committing a crime or acting suspiciously so as to make an officer believe he is about to commit a crime, there is no reason for an officer to stop and detain any individual carrying a firearm. The courts have ruled on several occasions that, absent reasonable grounds to believe a violation is occurring, police may not stop a motorist and subject him or her to questioning or a search of the vehicle. The same applies to permits to carry firearms.

The existing statute already makes it mandatory to have a permit on one's person when carrying a firearm. The only time the permit needs to be shown is when there is a reasonable suspicion or

probable cause to believe the person in question is involved in some type of crime and the firearm is a material part of the investigation.

To have police officers empowered to randomly stop people suspected of possessing a firearm and demand "their papers" smacks of abuse of state power and should be prohibited by law.

Sincerely,

Matthew F. Tyszka, Jr.
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Connecticut State Police